

Department of Health
Notice of Rulemaking Hearing
Board of Occupational and Physical Therapy Examiners
Committee of Physical Therapy
Division of Health Related Boards

There will be a hearing before the Tennessee Board of Occupational and Physical Therapy Examiners' Committee of Physical Therapy to consider the promulgation of amendments to rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, 63-13-108, and 63-13-304. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Cumberland Room of the Cordell Hull Building located at 425 Fifth Avenue North, Nashville, TN at 3:30 p.m. (CDT) on the 18th day of April, 2006.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Related Boards to discuss any auxiliary aids or services needed to facilitate such participation or review. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date such party intends to review such filings), to allow time for the Division to determine how it may reasonably provide such aid or service. Initial contact may be made with the ADA Coordinator at the Division of Health Related Boards, First Floor, Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN 37247-1010, (615) 532-4397.

For a copy of the entire text of this notice of rulemaking hearing contact:

Jerry Kosten, Regulations Manager, Division of Health Related Boards, 425 Fifth Avenue North, First Floor, Cordell Hull Building, Nashville, Tennessee 37247-1010, (615) 532-4397.

Substance of Proposed Rules

Amendments

Rule 1150-1-.01, Definitions, is amended by deleting paragraphs (6) and (7) in their entirety and substituting instead the following language, so that as amended, the new paragraphs (6) and (7) shall read:

- (6) Clinical Student – A student enrolled in a CAPTE approved developing program, or a CAPTE accredited physical therapy program, or a regionally accredited post professional physical therapist program, or any other program approved by the Committee of Physical Therapy.
- (7) Commission on Accreditation of Physical Therapy Education (CAPTE) – An agency approved by the Committee of Physical Therapy to accredit schools of physical therapy pursuant to T.C.A. §63-13-307(a).

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-13-108, 63-13-304, and 63-13-307.

Rule 1150-1-.04, Qualifications for Licensure, is amended by subparagraph (3) (a) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (3) (b) and renumbering the remaining subparagraphs accordingly, so that as amended, the new subparagraphs (3) (a) and (3) (b) shall read:

- (3) (a) Have submitted directly to the Committee's administrative office a validly issued and error-free "Comprehensive Credential Evaluation Certificate for the Physical Therapist" (Type 1 Certificate) from the Foreign Credentialing Commission on Physical Therapy (FCCPT) for the purpose of evaluating and verifying that the applicant's education is substantially equivalent to a curriculum approved by CAPTE.
 - 1. Submitting the "Visa Credential Verification Certificate," also issued by the FCCPT, will not constitute meeting this requirement.
 - 2. Applicants who cannot obtain a Type 1 Certificate from the FCCPT based on their ineligibility to sit for the Test of Written English (TWE), the Test of Spoken English (TSE), and the Test of English as a Foreign Language (TOEFL) must submit all other components of the Type 1 Certificate directly to the Board's administrative office, for the purpose of evaluating and verifying that the applicant's education is substantially equivalent to a curriculum approved by CAPTE; or
- (3) (b) Have submitted directly to the Committee's administrative office a validly issued and error-free certification from any agency verifying that the applicant's education is substantially equivalent to a curriculum approved by CAPTE.
 - 1. The agency must evaluate the curriculum in a manner similar to the FCCPT educational credentials review.
 - 2. The result or outcome of the evaluation is the issuance of certification that the Committee considers to be equivalent to the "Comprehensive Credential Evaluation Certificate for the Physical Therapist" (Type 1 Certificate) from the FCCPT.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-13-108, 63-13-304, and 63-13-307.

Rule 1150-1-.15, Disciplinary Actions, Civil Penalties, Assessment of Costs, and Screening Panels, is amended by adding the following language as new paragraph (7) and renumbering the present paragraph (7) as paragraph (8):

- (7) Reconsiderations and Stays - The Committee authorizes the member who chaired the Committee for a contested case to be the agency member to make the decisions authorized pursuant to rule 1360-4-1-.18 regarding petitions for reconsiderations and stays in that case.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-13-108, 63-13-304, 63-13-312, 63-13-313, and 63-13-314.

Contact who can answer questions concerning this notice of rulemaking hearing, technical contact for disk acquisition, and person who will approve final copy for publication: Jerry Kosten, Regulations Manager, Division of Health Related Boards, First Floor, Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN 37247-1010 615-532-4397.

I certify that this is an accurate and complete representation of the intent and scope of rulemaking proposed by the Tennessee Board of Occupational and Physical Therapy Examiners' Committee of Physical Therapy.

Robbie H. Bell, Director
Health Related Boards

Subscribed and sworn to before me this the 10th day of February, 2006.

Notary Public

My commission expires on the 25th day of March, 2006.

The notice of rulemaking set out herein was properly filed in the Department of State on the ____ day of _____, 2006.

Riley C. Darnell
Secretary of State

By: _____